

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 778 of 2019

- Suresh Kumar Banjare S/o Harichand Banjare Aged About 25 Years
R/o Village Pratappur, Post Office Mohgaon, Police Station
Pandatarai, Tahsil Pandariya, District Kabirdham Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Bemetara District Bemetara Chhattisgarh

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate.
For Respondent/State : Mr. Devendra Pratap Singh, Dy. AG.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/02/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No. 110/2018, registered at Police Station – Bemetara, District- Bemetara (C.G.) for the offence punishable under Section 420/34 of IPC and Section 66(C) & 66 (D) of IT Act.
2. As per the prosecution story, on 28.02.2018, complainant Deepak Kumar Thakur, CEO, Janpat Panchayat, Bemetara, District Bemetara lodged a report to the effect that in the year 2017, the amount has been passed under the Pradhan Mantri Aawas Yojna from the government for depositing the bank account of the beneficiary person in Janpat Panchyat. In the meanwhile, a complaint was received that the aforesaid amount was not deposited in the bank account of the beneficiary persons in Janpat Panchayat. Thereafter, an enquiry was made by a team, they have got that some unknown persons manipulated the website of Janpat Panchayat and the aforesaid

amount of Janpat Panchayat was transferred to the bank account of other persons by way of fraudulent manner which is sum of Rs. 5,28,000/-. Allegedly, present Applicant and other co-accused persons have committed the said crime.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. There is nothing on record on the basis of which any offence can be made out against him. He further submits that three other co-accused persons have already granted benefit of bail by the Sessions Court itself. The Applicant is in custody since 30.07.2018, charge-sheet has already been filed and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that three other co-accused persons have already granted benefit of bail by the Sessions Court itself. The Applicant is in custody since 30.07.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

